

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

JACK K. STEIN,

Petitioner,

v.

SCOTT FRAKES,

Respondent.

CASE NO. C09-5006RBL

ORDER

The Court, having reviewed the petition, the Report and Recommendation of the Hon. J. Richard Creatura, United States Magistrate Judge, objections to the Report and Recommendation [Dkt. #'s 184, 186, 187], and the remaining record, does hereby find and Order:

- (1) The Court adopts the Report and Recommendation;
- (2) The petition for writ of habeas corpus is DENIED; and
- (3) The Court declines to issue a certificate of appealability.
- (4) The Clerk is directed to send copies of this Order to petitioner and to counsel for respondent.

DATED this 2nd day of April, 2010.


RONALD B. LEIGHTON
UNITED STATES DISTRICT JUDGE